

At the meeting of the Public Service Commission of the State of Montana held at the Commission's Offices in Helena, Montana, on Wednesday, December 18, 2002, the following members were present:

Gary Feland, Chairman  
Jay Stovall, Vice Chairman  
Bob Anderson, Commissioner  
Matt Brainard, Commissioner  
Bob Rowe, Commissioner

APPEARANCE

Steve Vick  
Utility Division

(523) In the matter of Yellowstone Pipeline Company, Docket No. D2002.10.135; On November 1, 2002, Yellowstone Pipeline Co. filed an application for an approximate 20 percent reduction in rates from the 53 percent granted in March, 2001, due to increased power costs. Commissioner Brainard moved to approve the reduction in rates. Commissioner seconded the motion, which passed unanimously.

APPEARANCE

Wayne Budt, Administrator  
Transportation & Centralized Services Division

(524) In the matter of T-02.106.OTSC; On November 21, 2002 an Order to Show Cause was issued to Flathead Area Custom Transportation, Inc. dba Kalispell Taxi & Airport Shuttle Service, Kalispell, Montana, PSC No. 9404, for failure to reactivate following twelve months of consecutive suspension, pursuant to 69-12-404(2). The Order to Show Cause was sent via certified mail and received by the carrier on December 3, 2002. There has been no response.

Class B - Nonemergency medical and psychiatric patients to and from medical appointments at health care facilities within the following counties: Flathead, Lake, Lincoln, Missoula, and Sanders. Limitations: Transportation must originate or terminate in Lincoln County.

SUB A Class B - Passengers, baggage and express between all points and places in Libby, Montana and a thirty (30) mile radius thereof. Limitations: 1) Transportation of railway crews is prohibited. 2) Transportation by limousine is prohibited.

Commissioner Rowe moved to terminate the authority. Commissioner Stovall seconded the motion, which passed unanimously.

(525) In the matter of the approval of Commission Minutes; Commissioner Stovall moved to approve the Commission Minutes for the week of December 9, 2002. Commissioner Rowe seconded the motion, which passed unanimously.

There being no further business to come before the Commission the meeting was adjourned.

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GARY FELAND, Chairman

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JAY STOVALL, Vice Chairman

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BOB ANDERSON, Commissioner

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MATT BRAINARD, Commissioner

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BOB ROWE, Commissioner

ATTEST:

Rhonda J. Simmons  
Commission Secretary

(SEAL)

At the meeting of the Public Service Commission of the State of Montana held at the Commission's Offices in Helena, Montana, on Wednesday, December 18, 2002, the following members were present:

Gary Feland, Chairman  
Jay Stovall, Vice Chairman  
Bob Anderson, Commissioner  
Matt Brainard, Commissioner  
Bob Rowe, Commissioner

APPEARANCE

Robin McHugh

(526) In the matter of the Commission's discussion of NorthWestern Energy's Proposed Sale of Certain Transmission Assets, Docket No. D2002.10.130; Commissioner Anderson moved to extend the deadline (to make a filing) to December 20, 2002. Commissioner Stovall seconded the motion, which passed unanimously.

APPEARANCE

Martin Jacobson, Mike Lee, Will Rosquist

(527) In the matter of the Commission's discussion of Whitehall Wind, LLC's Application for Qualifying Facility Rates with NorthWestern Energy, Docket No. D2002.8.100; Commissioner Rowe moved to adopt the order with several amendments. Commissioner Anderson seconded the motion, which passed with a vote of 3 to 2. Commissioners Anderson, Feland and Rowe voted aye. Commissioners Brainard and Stovall dissented.

APPEARANCE

Robin McHugh

(528) In the matter of the Commission's discussion of NorthWestern Energy's "Exempt Wholesale Generator" Filing Pertaining to Montana Megawatts and Milltown Dam, Docket No. D2002.10.131 and D2002.10.129, respectively; Commissioner Brainard moved to approve the notices of commission action rejecting the filings. Commissioner Rowe seconded the motion, which passed unanimously.

APPEARANCE

Robin McHugh

(529) In the matter of the Commission's discussion of NorthWestern Energy's Special Service Contracts to Avoid Uneconomic Bypass, Docket No. D2000.7.98; Commissioner Brainard moved to grant the motion for oral argument and schedule it for December 20<sup>th</sup>. The motion was withdrawn due to conflicts with commissioner schedules.

Commissioner Brainard moved to issue the order. Commissioner Anderson seconded the motion, which passed with a vote of 3 to 2. Commissioners Anderson, Brainard and Feland voted aye. Commissioners Rowe and Stovall dissented.

Commissioner Brainard moved to deny the motion for hearing. Commissioner Anderson seconded the

motion, which passed with a vote of 4 to 1. Commissioners Anderson, Brainard, Feland and Rowe voted aye. Commissioner Stovall dissented.

APPEARANCE

Monica Tranel, Mike Lee

(530) In the matter of the Commission's discussion of Qwest Corporation's Filing for Approval of Long Distance Tariff, Docket No. N2002.12.153; Commissioner Rowe moved to notice the filing and provide an opportunity for intervention. Commissioner Brainard seconded the motion, which passed unanimously.

APPEARANCE

Martin Jacobson, Kendal Ferguson

(531) In the matter of the Commission's discussion of Mid-Rivers Application for Extended Area Service to the Billings Region, Docket No. D2002.11.147; Commissioner Stovall moved to issue the interim protective order. Commissioner Brainard seconded the motion, which passed unanimously.

APPEARANCE

Martin Jacobson, Leroy Beeby

(532) In the matter of the Commission's discussion of M&W Investments, Docket No. D2002.8.102; Commissioner Anderson moved to deny the motion in opposition to intervention. Commissioner Rowe seconded the motion, which passed unanimously.

APPEARANCE

Martin Jacobson

(533) In the matter of the Commission's discussion of Mountain Water Company's Application to Establish Uniform Tariffs and Increase Rates and Charges, Docket No. D2002.5.60; Commissioner Rowe moved to approve the stipulation/final order subject to further editing of the order. Commissioner Stovall seconded the motion, which passed unanimously.

APPEARANCE

Martin Jacobson, Mike Lee

(534) In the matter of the Commission's discussion of the Federal Communications Commission's Non-Rural High Cost Fund, 10<sup>th</sup> Circuit Remand, FCC Docket No. 96-45; Commissioner Anderson moved to file comments subject to editing. Commissioner Brainard seconded the motion, which passed 4-0-1. Commissioner Feland cast Commissioner Stovall's proxy aye as Commissioner Stovall stepped out of the room during this work session. Commissioner Rowe abstained.

APPEARANCE

Monica Tranel, Kate Whitney

(535) In the matter of the Commission's discussion of the PSC Cramming Complaint Against Enhanced Billing Services, et al., Docket No. D2002.10.126; Commissioner Brainard moved to adopt staff's recommendation. Commissioner Rowe seconded the motion, which passed unanimously.

APPEARANCE

Kate Whitney, Susan Good, Steve Vick

(536) In the matter of the Commission's discussion of legislation; Commissioner Rowe moved to endorse legislation repealing the interim universal access program. Commissioner Brainard seconded the motion, which passed unanimously.

There being no further business to come before the Commission the meeting was adjourned.

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GARY FELAND, Chairman

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JAY STOVALL, Vice Chairman

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BOB ANDERSON, Commissioner

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MATT BRAINARD, Commissioner

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BOB ROWE, Commissioner

ATTEST:

Rhonda J. Simmons  
Commission Secretary

(SEAL)

At the meeting of the Public Service Commission of the State of Montana held at the Commission's Offices in Helena, Montana, on Friday, December 20, 2002, the following members were present:

Gary Feland, Chairman  
Jay Stovall, Vice Chairman, via telephone  
Bob Anderson, Commissioner  
Matt Brainard, Commissioner, via telephone  
Bob Rowe, Commissioner

APPEARANCE

Monica Tranel, Mike Lee

(537) In the matter of the Commission's discussion of Qwest Corporation's Filing for Approval of Long Distance Tariff, Docket No. N2002.12.153; Commissioner Rowe moved to authorize interim rates that are 1) above cost, 2) above the access charged by Qwest to other carriers, and instruct Qwest to make a compliance filing. Commissioner Anderson seconded the motion.

Commissioner Anderson offered a substitute motion that Qwest Long Distance be authorized to use existing intraLATA rates in the interLATA market upon FCC approval to enter the market. Commissioner Feland seconded the motion, which passed with a vote of 3 to 2. Commissioners Anderson, Brainard and Feland voted aye. Commissioners Rowe and Stovall dissented.

There being no further business to come before the Commission the meeting was adjourned.

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GARY FELAND, Chairman

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JAY STOVALL, Vice Chairman

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BOB ANDERSON, Commissioner

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MATT BRAINARD, Commissioner

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BOB ROWE, Commissioner

ATTEST:

Rhonda J. Simmons  
Commission Secretary

(SEAL)